

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

JILL KILEY, et al.,

Plaintiffs,

vs.

**MEDFIRST CONSULTING
HEALTHCARE STAFFING, LLC.,**

Defendant.

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Civil Action No.:

2:17-cv-01756-RDP

DECLARATION OF CRISTAL KULUNGAN

I, Cristal Kulungan, do hereby swear, affirm and attest as follows:

1. I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge.
2. I have worked as an independent contractor for MedFirst on and off since 2011 or 2013. I work with MedFirst on a project-by-project basis. I work as an independent contractor for two other go-live companies. I work for those companies on a project-by-project basis as well. I determine which projects to accept depending on my schedule, the nature of the project, the duration and location of the project and the skills required.
3. I have degrees in teaching, IT and healthcare. I have experience with programing, software development, consulting work and training. I am trained and certified on Cerner, Meditech and McKesson, and can work with most of the software the healthcare industry utilizes for electronic medical records. On go-live projects I prefer to work with Cerner and specialize in the units of surgery, anesthesia and patient care.
4. When MedFirst has an available project for which my skills sets are needed, I receive an email invitation which describes the duration, location and needs for the project. On occasion I will reach out to MedFirst to see if I can work on a project that I learn about online. I usually request to work with Cerner and in the units of surgery, anesthesia and patient care and MedFirst will honor my requests. If I am not available or interested in the offered project I can always decline to work on the project.
5. Since March 2014, I would estimate I have worked on about 15 projects for MedFirst. I do not recall the names or locations of all the projects I have been assigned, but I

do recall that I have worked at hospitals and ambulatory facilities in Wichita, Kansas, Tampa, Florida, Philadelphia, Pennsylvania, Birmingham, Alabama and Delaware.

6. The independent contractors assigned to the projects work in different roles and perform different duties. I have versatile skills based on my education and training and have performed the following roles during my various assignments: Trainer, Proctor, Consultant at the elbow, and Team Lead during projects. As a Trainer I was responsible for developing PowerPoint materials and delivering presentations in front of a large group of people. When I was a Proctor I provided individualized assistance during classroom training. I also performed at the elbow training, mainly to physicians and their staff in the units of surgery, anesthesia and patient care. Each software system has several different modules, which are designed to be used by different departments and types of healthcare professionals. As a result, a Consultant who only does at the elbow training for the front desk employee, may not be familiar with the modules used by the nursing or physician staff.

7. Every client project is different based on a variety of factors, including the size of the software system being implemented as well as how long it takes the healthcare professionals to grasp the new software and incorporate it into their workflow.

8. Projects vary in length depending on the client's needs. For example, if a client just wants to go-live that may take only two to four weeks, but if the client wants training the project can last several months. I estimate that the shortest project I have been assigned lasted 2 weeks and my longest project lasted about 3 months. The number of Consultants working on a project also varies based on the client's needs and the size of the facility. I have been assigned to projects which had hundreds of Consultants assigned and some projects that only had 10 Consultants assigned depending on the size of the project and the facility.

9. MedFirst flies Consultants to the project locations, makes hotel reservations, and instructs Consultants where and when to report for the first day. Before a project starts, MedFirst provides Consultants with information regarding project logistics but does not, in my experience, instruct us on how to do the work itself.

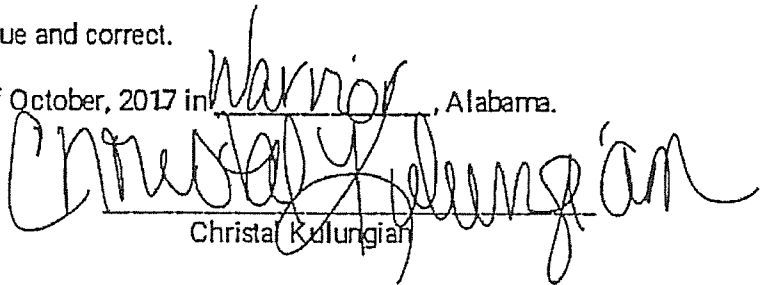
10. The client often provides an orientation regarding the details of the project and any of the client's policies that Consultants are expected to follow. Policies and details vary from project to project since each client is different. For example, in a hospital setting, Consultants may work 12-hour shifts, 7 days per week, but in an outpatient clinic or "ambulatory" setting, a Consultant's job is to support the client while the clinic is open, which is generally Monday through Friday from 8 a.m. until 5 p.m. Additionally, some clients require the Consultants to wear lanyards, t-shirts or vests so the client's employees can easily identify the Consultants if they have a question.

11. I have never been disciplined or received a formal performance evaluation while I was working as an independent contractor for a MedFirst project.

This declaration is given voluntarily. I have not been promised any benefit, coerced, or threatened in any manner in exchange for or in relation to this declaration or the information stated in this declaration.

I declare under penalty of perjury under the laws of the State of Alabama and the United States that the foregoing is true and correct.

Dated this 26 day of October, 2017 in Warrior, Alabama.


Christal Kulungian

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants.

None.

s/ Stacey T. Bradford
OF COUNSEL

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